

Transmittal Log

NFPA 5000 BUILDING CODE ADOPTION UPDATE AND TIMELINE

Date/Time	Sender Name	Recipient Name	Agenda Type/Date	Approval/Comments
12/24/2002 11:07 AM12/24/02	Lionel D. Lyons	Alton Washington	Subcommittee	Approved By Lionel D. Lyons

CITY COUNCIL REPORT

TO: Alton Washington
Special Assistant City Manager

FROM: Lionel D. Lyons, Director
Development Services Department

SUBJECT: NFPA 5000 BUILDING CODE ADOPTION UPDATE AND TIMELINE

This report provides a brief history of the consensus code adoption process and an update on the status of the adoption of the *NFPA 5000™, Building Construction and Safety Code™* into the Phoenix Construction Code. A projected timeline will also be discussed.

THE ISSUE

Resolution 19015, supporting the development of consensus-based construction codes and standards, was adopted by the City Council on December 17, 1997. This resolution acknowledged that the development of codes and standards should be “free from control or domination by any special interest group, public or private.” The resolution directed City staff to “reference and utilize codes and open consensus standards developed with input from all interested elements of the community.” (Attachment A)

On December 5, 2000, the Five Step Process for Review and Adoption of Consensus Codes (Attachment B) and a timeline for the adoption of new codes were presented to the Ethics and Public Safety Subcommittee. After a discussion with community input, the subcommittee approved the Five Step Process and the timeline for the adoption of consensus codes (Attachment C). On December 13, 2000, the full Council approved the Five Step Process and timeline.

The first step in the Five Step Process is a review of proposed codes for compliance to Resolution 19015 for consensus. At the time of the Council action detailed above, the NFPA 5000 was still under development. Because NFPA was the only organization developing a building code using a consensus-based process approved by the American National Standards Institute (ANSI), Council directed Development Services staff to begin the adoption process when the code was available. The *NFPA 5000™, Building Construction and Safety Code™* has now been published, and is still the only ANSI certified consensus building code available.

Included in this packet is a letter from the American National Standards Institute stating that the NFPA 5000 has received approval as an American National Standard and that the only other building code published (ICC's International Building Code) has not. The letter also details that the primary goal in consensus code development is to provide codes and standards that “improve the quality of life, promote U.S. business products and practices globally, and enable a public-private partnership that provides more flexibility than the government rule-making process.” (Attachment D)

After receiving direction for Council that the NFPA 5000 would comply with Council Resolution 19015, Step 1 in the five step process was complete. Step 2, an internal staff review, had to wait until the publication of the code. This step began on April 9, 2002, with committees made up of line, supervisory and management staff from Development Services and the Fire Department.

These staff committees have now finished review of several chapters. Step 3, Development Advisory Board (DAB) subcommittee review, has begun for some sections of the code. The Development Advisory Board (DAB) created six subcommittees consisting of DAB members, community volunteers, and City staff to review and prepare proposed amendments to the code. A table containing the subcommittee membership, meeting dates, and assigned code chapters is included in Attachment E. These subcommittees have been meeting since November 2002. The status of the efforts of each subcommittee is as follows:

- Subcommittee 1 – Administration: This group has met one time. The Step 2 staff committee has not completed work on these chapters, so the subcommittee has been unable to begin their review.
- Subcommittee 2 – Residential: This group has met three times since November 2002. They are approximately 50% complete with their review
- Subcommittee 3 – Commercial: This subcommittee has met nine times. They have completed approximately 70% of their review.
- Subcommittee 4 – Accessibility: This committee has met three times and is approximately 20% complete.
- Subcommittee 5 – Energy and Other Systems: This committee has met four times and is approximately 70% complete.
- Subcommittee 6 – Structural and Materials: This committee has met four times. They are approximately 10% complete and are waiting for additional input from the Step 2 staff committee.

All subcommittees will resume meetings in January 2003. Minutes of subcommittee meetings, including proposed code amendments, are available for review.

The subcommittees are at various stages in the process. Due to other responsibilities, staff has not yet provided complete input from Step 2 of the Five Step Process to the Administration and Structural/Materials Subcommittees. We anticipate that all DAB subcommittees will be able to finish their reviews by March 2003. When this is accomplished, we will be able to move to Step 4 of the process. The full Development Advisory Board will hold a public hearing and make a recommendation to the City Council. We expect to be able to bring the full code package to the City Council in June 2003.

NFPA will provide free training for all staff after the City adopts the NFPA 5000 building code. To allow sufficient time for training, the effective date of the new code would be three months after adoption. This schedule would allow us to make the NFPA 5000 effective in September 2003.

RECOMMENDATION

The Development Services Department requests that the Ethics and Public Safety Subcommittee approve the timelines proposed for the review and adoption of the *NFPA 5000™, Building Construction and Safety Code™*.

Attachments